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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,306	07/03/2003	Hirobumi Toyoda	3022-0011	3185

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ARLINGTON, VA 22209

EXAMINER
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PEZZUTO, ROBERT ERIC

ART UNIT	PAPER NUMBER
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3714

NOTIFICATION DATE	DELIVERY MODE
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06/14/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

AStadnicki@antonelli.com  
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**Office Action Summary**

Application No.

10/612,306

Applicant(s)

TOYODA, HIROBUMI

Examiner

Aashish Karkhanis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 February 2007.  
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 and 16-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-12 and 16-26 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 03 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/9/07  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 – 12 and 16 – 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoseloff et al. (U.S. Patent 6,311,976 B1).

Regarding Claims 1, 16 and 18 – 23, Yoseloff discloses a server connectable via a communication line to gaming machines (col. 14, lins. 28 – 29), each of which includes a combination-making game is performed using a matrix which includes a row with a row cell number of at least two and a column with a column cell number of at least two, wherein the row cell number equals the column cell number so as to constitute the matrix containing a plurality of cells (col. 16, lins. 46 – 47; where a reel game may have a number of configurations of cells and rows including a 5x5 matrix), each of which has an allocated symbol such that each corresponding cell becomes effective if the allocated symbol to the corresponding cell is selected by a main lottery, where each cell is selected by lottery (col. 16, lins. 48 – 50; where all symbols are randomly selected, and multiple selection lotteries are performed for each, and may be winning symbols in a first game), the gaming machine being characterized to provide a benefit to a player depending on a pattern of cells being effective after a predetermined number of main lotteries, the gaming machine including a symbol allocating means for

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allocating symbols to the respective cells such that at least one combination being composed of a same number of allocated symbols as the row or column cell number and which includes allocated symbols that match a first predetermined winning combination having a first predetermined rank under a predetermined condition is aligned along a first line among lines contained in the matrix (col. 1, lins. 47 – 49; where matching symbols combinations can occur on preset paylines), and a disbursement value determination means for determining a predefined amount of disbursement or a multiplier corresponding to bets made by the player for computing an amount of disbursement depending on the first predetermined rank, if all cells with allocated symbols along the first line become effective after the predetermined number of lotteries are made (col. 16, lins. 56 – 61; where a first game is a primary game and a special symbol combination triggers a bonus round after a randomly number of lotteries, where a result of the primary lottery is predetermined before a result is shown, resulting in either a basic win without a bonus multiplier or a bonus win with a multiplier).

Regarding Claims 2 – 3, Yoseloff discloses a gaming machine wherein the combination-making game where the row cell number of the matrix is five (col. 16, lins. 46 – 47; where a reel game may inherently have a number of configurations of cells and rows including a 5x5 matrix, as is well known and established in the art), or the combination-making game comprises a mahjong game or a poker game (col. 1, lin. 17).

Regarding Claims 4 – 6, Yoseloff discloses a game machine including a betting means for betting game media in regard to the matrix, wherein the first winning combination that is aligned along the first line and is composed of symbols allocated by

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said symbol allocating means causes the gaming machine to provide a benefit to the player and the benefit, which is more than a predetermined standard, is based on a disbursement number of the game media or the multiple number of the bet number of the game media the player has bet (col. 16, lins. 56 – 61; where a first game is a primary game and a special symbol combination triggers a bonus round after a randomly number of lotteries, where a predetermined standard is a bonus triggering combination and disbursement media includes monetary credits that may be awarded to a player after a bonus round).

Regarding Claims 7 and 24 – 25, Yoseloff discloses a gaming machine wherein said symbol allocating means allocates symbols to the respective cells of the matrix such that the matrix contains a second line being constituted of a second combination with a second rank of the combination-making game, wherein said betting means allows the player to bet game media on the first and/or second lines, and wherein the gaming machine includes an effective line determination means for determining whether the first and/or second lines are applicable to disbursement of game media in accordance with a bet number of game media the player has bet if all cells of the first and second lines become effective (col. 1, lins. 47 – 49; where symbols combinations can occur on preset paylines, and awards can be given based on results that occur on paylines).

Regarding Claims 8 – 12, Yoseloff discloses a gaming machine including a preliminary cell validation means for making at least one cell contained in the matrix effective in accordance with a result of a preliminary lottery performed prior to said main lottery (col. 3, lins. 31 – 32; col. 4, lins. 23 – 24; where a wild symbol will become

effective after other symbols have been determined, usually causing a favorable result for a player).

Regarding Claim 17, Yoseloff discloses a gaming machine being connected to the server via said communication line including communicating means for communicating via said communication line with the server (col. 14, lins. 28 – 29) and displaying means for displaying progress of the game to the player (fig. 1).

Regarding Claim 26, Yoseloff discloses a method wherein the performed multiple selection lotteries are multiple main lotteries, making effective at least one of the cells forming the matrix effective in accordance with a preliminary lottery performed prior to said multiple main lotteries (col. 4, lins. 45 – 52; where a preliminary lottery is used to select wildcards for a player, and where wildcards allow a cell to be made effective for a wider range of combinations).

### ***Response to Arguments***

2. Applicant's arguments have been fully considered but they are not persuasive.

Applicant maintains that the claimed invention distinguishes over the prior art because Yoseloff does not disclose multiple lotteries for selection of symbols. The examiner respectfully disagrees. As described above, the system of Yoseloff is played in the style of a reel game. Reel games include reels whose stopping position is governed by a random number generator for each reel. In the present embodiment, five cells are provided where a card/cell value is randomly selected for each, and where a separate random selection occurs for each card/cell (col. 5, lns. 9 – 17). Applicant maintains that the claimed invention distinguishes because each cell is independently

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stopped using a different random number generation. However, this feature is not claimed. Applicant only cites that each symbol is stopped by a main lottery. In an embodiment where reels are used, groups of symbols (symbols occurring on the same reel) are independently selected at random. No claim is made of a random number generation for each symbol.

For the reasons given above, claims 1 – 12 and 16 – 26 stand rejected.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

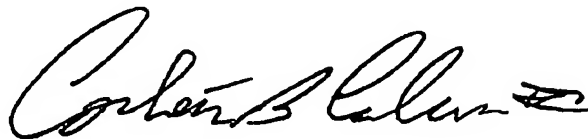
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aashish Karkhanis whose telephone number is (571) 272-2774. The examiner can normally be reached on 0800-1630 M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ARK

A handwritten signature in black ink, appearing to read "Corbett B. Coburn" with a stylized flourish at the end.

**CORBETT B. COBURN  
PRIMARY EXAMINER**